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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,516	06/29/2001	Hiroshi Ueda	001701.00092	2972

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EXAMINER

BLAIR, DOUGLAS B

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 12/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/893,516

Applicant(s)

UEDA ET AL.

Examiner

Douglas B Blair

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/13/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3-7, and 9-12 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,549,768 to Fraccaroli.

3. As to claim 1, Fraccaroli teaches a position information acquiring system to allow a user to acquire position information of a communication terminal by accessing a private network via a public network, wherein the private network comprises; a user information database containing a field to which the user sets up public information to release the position information of the communicating terminal (col. 9, lines 25-40), and configured to search the user information when the user requests to acquire the position information of the communication terminal (col. 9, lines 41-49), and a terminal position information management server to acquire the position of the communication terminal to send it to the user information server when receiving a notice from the user information server that the position information can be released (col. 9 line 50-col. 10, line 15).

4. As to claim 3, Faccaraoli teaches the position information acquiring system according to claim 1, wherein the user information database contains a schedule field to which the user can set

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up the user's own schedule information and the public information is set up corresponding to each schedule (col. 9, lines 41-49).

5. As to claim 4, Faccaroli teaches the position information acquiring system according to claim 1, wherein the user information database contains an information release area set up field to which the user can set up user's own position information and public information is set up corresponding to each release area (col. 9, lines 41-49).

6. As to claim 5, Faccaroli teaches a position information acquiring system to allow a user to acquire position information of a communication terminal by accessing a private network via a public network, wherein the private network comprises: a user information server provided with a user information database containing user-by-user search area condition set up field to which the user can set up an area to each the position of the communicating terminal and a field to which information is set up to indicate whether or not to acquire the position information corresponding to each search area (col. 9, lines 25-49), and configured to search the user information database to check the availability to acquire the position information when the user requests to acquire the position when the user requests to acquire the position information of the communication terminal (col. 9, lines 25-49), and a terminal information a management server to acquire the position information of each communication terminal thereby to send the position information to the user information server when receiving a notice from the user information server that the position information is acquirable (col. 9 line 50-col. 10, line 15).

7. As to claim 6, Faccaroli teaches a position information acquiring system to allow a user to acquire position information of a communication terminal by accessing a private network via a public network, wherein the private network comprises: a user-by-user user attribute set up

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database to which the user can set up the user's own user attributes (col. 9, lines 25-49), a user-by-user attribute condition set up database to which the user can set up user attribute conditions for a communicating party and containing a field to which the user sets up public information to release the position information depends upon the corresponding user attribute conditions (col. 9, lines 25-49), a user information server to search the user attribute condition set up database to check the availability to release the position information when the user requests to acquire the position information of the communication terminal (col. 9, lines 25-49), and a terminal position information management server to acquire the position information of each communication terminal to send it to the user information server when receiving a notice from the user information server that the position information is acquirable (col. 9 line 50-col. 10, line 15).

8. As to claims 7 and 9-12, they feature the same limitations as claims 1 and 4-6 and are rejected for the same reasons as claims 1 and 4-6.

Claim Rejections - 35 USC § 103

9. Claims 2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,549,768 to Fraccaroli in view of U.S. Patent Number 5,461,390 to Hoshen et al.

10. As to claim 2, Faccaroli teaches the position information acquiring system according to claim 1; however, Faccaroli does not explicitly teach a system wherein the user information database contains a group field capable of setting up group information to group communicating parties listed in the user information database and the public information is set up corresponding to each group.

Hoshen teaches a system wherein the user information database contains a group field capable of setting up group information to group communicating parties listed in the user information database and the public information is set up corresponding to each group (col. 4, lines 5-37).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Faccaroli with locating a mobile user with the teaching of Hoshen regarding a system wherein the user information database contains a group field capable of setting up group information to group communicating parties listed in the user information database and the public information is set up corresponding to each group because monitoring groups based on location ensures the safety of the public (Hoshen, col. 1, lines 15-50).

11. Claim 8 is rejected for the same reasons as claim 2.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B Blair whose telephone number is 571-272-3893. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

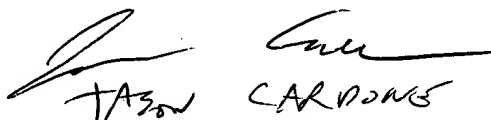
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 571-272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Douglas Blair

DBB


JASON CARDONE
PRIMARY EXAMINER
AU: 2145